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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,789	12/02/2003	Robert W. Hurtz	J-SLA.1433	6110
55428	7590	02/22/2008	EXAMINER	
ROBERT VARITZ			MCCOMMAS, BRENDAN N	
4915 SE 33RD PLACE			ART UNIT	
PORTLAND, OR 97202			PAPER NUMBER	
			2625	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/726,789	Applicant(s) HURTZ ET AL.	
	Examiner BRENDAN MCCOMMAS	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/02/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. **Claims 1-4** are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuhara et al. (U.S. Patent Publications 2002/0190045), hereinafter referenced as Matsuhara.

2. **Regarding claim 1**, Matsuhara discloses a method for process handling of an image-only file in a PDF data stream which is en route to a printer, as disclosed in [0035] comprising:

3. querying such a PDF data stream to detect the presence therein of any such image-only file, as disclosed in [0031];

4. on detecting the presence of such a file, and with respect to the date in that file, directing that data to a dedicated, PDF image-only pipeline processing path, as disclosed in [0047].

5. **Regarding claim 2**, Matsuhura discloses everything claimed as applied above (see claim 1). In addition Matsuhura discloses the method wherein the directing includes specifically directing the detected image-only block of PDF data to a path which includes processing steps involving image decoding [0041] and downstream from image decoding, rendering for printing, as disclosed in [0038] and exhibited in figures 8 and 9.

6. **Regarding claim 3**, Matsuhura discloses everything claimed as applied above (see claim 1) In addition claim 3 is interpreted and rejected for the reasons set forth in the rejection of claim 1. Claim 1 describes a method, and claim 3 describes an apparatus for implementing the method. Thus claim 3 is rejected.

7. **Regarding claim 4**, Matsuhura discloses everything claimed as applied above (see claim 3) In addition claim 4 is interpreted and rejected for the reasons set forth in the rejection of claim 2. Claim 2 describes a method, and claim 4 describes an apparatus which implements the method. Thus claim 4 is rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENDAN N. MCCOMMAS whose telephone number is (571)270-3575. The examiner can normally be reached on M-F (alternate F off) 7:30 am -5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brendan N McCommas/
Examiner, Art Unit 2625

/B. N. M./
Examiner, Art Unit 2625
/Jefferey F Harold/

Supervisory Patent Examiner, Art Unit 4115